

HOUSE BILL REPORT

E2SHB 2489

As Passed House:

February 9, 2006

Title: An act relating to providing assistance to students who are not on track to graduate from high school on time.

Brief Description: Assisting students to graduate from high school on time.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives Hunter, Jarrett, P. Sullivan, Springer, Morrell, Tom, Simpson, Miloscia, O'Brien, Roberts and Green).

Brief History:

Committee Activity:

Education: 1/12/06, 2/1/06 [DPS];

Appropriations: 2/4/06 [DP2S(w/o sub ED)].

Floor Activity:

Passed House: 2/9/06, 96-2.

Brief Summary of Engrossed Second Substitute Bill

- For students not successful on the high school Washington Assessment of Student Learning (WASL), requires school districts to prepare a student learning plan before the end of the school year and arrange a student-led parent/teacher conference to discuss remediation.
- Requires that funds appropriated for WASL remediation be allocated according to the appropriations act and spent on students served by extended learning activities.
- Expands the notice to parents about a high school student's WASL scores to include information about remediation, retakes, alternative assessments, and how to view the test.
- Requires release of the high school WASL and notification to parents of the questions as well as the results, subject to funding being provided for this purpose.
- Beginning in 2006-07, requires the Superintendent of Public Instruction (SPI) to reimburse school districts, from funds appropriated for this purpose, for administration of diagnostic assessments in 9th and 10th grade before the high school WASL.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Quall, Chair; P. Sullivan, Vice Chair; Talcott, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Curtis, Haigh, Hunter, McDermott, Priest, Santos, Shabro, Tom and Wallace.

Staff: Barbara McLain (786-7383).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by 29 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Armstrong, Bailey, Buri, Chandler, Cody, Conway, Darneille, Dunshee, Grant, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, Miloscia, Pearson, Priest, Schual-Berke, P. Sullivan, Talcott and Walsh.

Minority Report: Do not pass. Signed by 1 member: Representative Clements.

Staff: Ben Rarick (786-7349).

Background:

Beginning with the graduating class of 2008, most students will be required to obtain a Certificate of Academic Achievement (CAA) in order to graduate from a public high school in the state. Students must attain the proficient level in reading, writing, and mathematics on the high school Washington Assessment of Student Learning (WASL) to earn a CAA. Science is added in 2010.

Students in the class of 2008 will take the high school WASL in the spring of 2006. Starting in August of 2006, they will have four opportunities before 2008 to re-take all or parts of the assessment if they do not attain proficiency the first time. School districts must prepare student learning plans for all students who are not successful in the WASL.

In 2005, about 42 percent of high school students met or exceeded the expected standard on all three content areas of the WASL. Twenty-two percent met the standard in two of the three content areas; 14 percent in one area; and 22 percent in none.

Each fall, parents of students who took the WASL the previous spring receive their student's results. Some information is provided about content and skill areas where the student may need improvement, but the test questions and student answers to individual questions are not released for test security reasons.

Prior to 2005, school districts were required to administer nationally norm-referenced tests such as the Iowa Test of Basic Skills (ITBS) to all third, sixth, and ninth grade students.

Legislation enacted in 2005 repealed this requirement, but stated that the Legislature intended to allow school districts to continue using these types of assessments at district expense. The legislation also directed the SPI, within available funds and by September 1, 2006, to make diagnostic assessments available to school districts to help improve student learning.

Summary of Engrossed Second Substitute Bill:

For each high school student not successful on the high school WASL, the school district must prepare the student learning plan before the end of the school year. The district must also arrange a student-led conference to discuss remediation and explain the risk of not graduating on time if the student does not participate. To the maximum extent possible, conferences are facilitated by a teacher or counselor who has been assigned as the student's mentor. For students in foster care, the assigned social worker from the Department of Social and Health Services is included in the conference.

Moneys appropriated for remediation of students who were not successful on the high school WASL are allocated according to the biennial appropriations act. School districts must spend the funds on remedial extended learning activities, which can include summer school, before and after school and Saturday programs, tutoring, or intensive courses during the school year. Programs can be offered at school, via the internet using the Digital Learning Commons or other providers, or at other locations and times. Within available funds, any student who did not pass the WASL can participate. The funding is provided based on students served. Expenditures for planning and preparation time are permitted only according to the appropriations act.

School districts must administer prerediation and postremediation assessments and collect student-level data to permit analysis of effective programs. The Superintendent of Public Instruction (SPI) issues data collection guidelines. Subject to the availability of funds, the SPI negotiates statewide contracts and acts as a broker with providers of online courses, materials, and diagnostic assessments to provide remedial extended learning activities.

If a student was not successful on the high school WASL, the notice sent by a school district to the student's parent, guardian, or social worker must include the following information:

- a description of the specific skill areas where the student needs improvement;
- the student's level of risk of not graduating on time;
- the availability and importance of remedial extended learning activities;
- information about the next WASL retest, possible alternative assessments, and other diploma completion options;
- information about how the parent or guardian can view a copy of the assessment; and
- contact information for an individual at the school who can assist and answer questions.

The SPI must provide diagnostic tools to school districts, particularly for students who are not successful on the high school WASL. Beginning September 1, 2007, the SPI must make diagnostic assessments available to assist school districts. These assessments, in addition to having other characteristics, should allow student progress to be compared across the country and be readily available to parents.

Beginning with the 2006-07 school year and from funds appropriated for this purpose, the SPI must reimburse school districts for administering diagnostic assessments in 9th and 10th grade for the purpose of identifying academic weaknesses and developing strategies to assist students before the high school WASL.

Beginning with the 2009 assessment, the SPI must release the complete 10th grade WASL, including correct responses, at the same time as student scores are released. Test information provided to parents must include the student's responses compared to correct responses, plus information about how to obtain a copy of the test. School districts must supply paper or electronic copies of the test on request.

Appropriation: None.

Fiscal Note: Requested on February 2, 2006.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: (Education) (Original bill) It is important to understand the seriousness of the situation we are in. We have to say what we are going to do for parents and students. We must have a serious discussion about our willingness to make instructional assistance available for students who are not going to pass the test. Mandating summer school may not be appropriate for all high risk students. We want to think carefully about what we require of schools and what we require of students. The concept of funding for summer school is good, as well as clear notification to parents and students of their risks of not graduating on time. The key is additional instruction for students.

(With concerns) Multiple measures, rather than the WASL as an exclusive measure of student performance, must be considered. Once that issue is addressed, resource issues can be dealt with. There are concerns about mandating summer school. Remediation has the potential to change the entire high school experience for a student. It is prudent to go carefully.

Testimony For: (Appropriations) The WASL remediation proposal is an investment in additional teaching and learning for students who will be most at risk. Washington is ranked 46th in class size and 42nd in per-student spending. Consider the amendments sponsored by Representative Talcott as well to enhance the investment in teaching and learning.

Testimony Against: (Education) (Original bill) The bill is very vague in content. It should establish the curriculum of what students should learn. The real issue is the use of the WASL as a high stakes test; it should instead be an assessment tool. We should be concerned about the conceptual framework being used by SPI in developing the WASL. This must be investigated before additional resources are spent to support it. The purpose of the bill is to boost test scores rather than truly educate students. The WASL is of no instructional value. It is too difficult for students with learning disabilities to take the test. More of what doesn't work isn't going to work.

Testimony Against: (Appropriations) None.

Persons Testifying: (Education) (In support) Representative Hunter, prime sponsor; and Dan Steele, Washington State School Director's Association.

(With concerns) Gary King, Washington Education Association; Don Rash, Association of Washington School Principals; Mary Kenfield, Washington State Parent Teacher Association; and Leslie Goldstein, Office of the Superintendent of Public Instruction.

(Opposed) Alton McDonald, National Action Network; Nancy Vernon, Parent Advocate; Raul de la Rosa, Former Educator; Maryell DeBellis, student; Juanita Doyon, Parent Empowerment Network; and Rachel DeBellis, Mothers Against Washington Assessment of Student Learning and Parent Empowerment Network.

Persons Testifying: (Appropriations) Representative Kilmer, prime sponsor; and Lew McMurrin, Washington Software Alliance.

Persons Signed In To Testify But Not Testifying: (Education) None.

Persons Signed In To Testify But Not Testifying: (Appropriations) None.